

6-30-04 IFW RCE 2811

PTO/SB/30 (09-03)

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Request for Continued Examination (RCE) Transmittal

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/035,346
Filing Date	December 28, 2001
First Named Inventor	John de Q. Walker
Art Unit	2811
Examiner Name	Ori Nadav
Attorney Docket Number	01-152/RCE/RCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☒ Other First Amendment after Second RCE

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☒ Deposit Account No. 12-2252

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

07/01/2004 YPOLITE1 00000136 122252 10035346

iii. ☐ Other _____

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b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Spencer A. Gibbs	Registration No. (Attorney/Agent)	51,731
Signature	<i>[Signature]</i>	Date	June 29, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. **Express Mail Label No. EV417740792US**

Name (Print/Type)	Nathalee M. Porter	Date	June 29, 2004
Signature	<i>[Signature]</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

Attorney Docket No. 01-152/RCE/RCE
Express Mail Label No. EV417740792US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor : John de Q. Walker and Todd A. Randazzo
Serial No. : 10/035,346
Filed : December 28, 2001
Title : CMOS VARACTOR WITH CONSTANT dC/dV
CHARACTERISTIC

Group Art Unit : 2811
Confirmation No. : 1045
Examiner : Ori Nadav

CERTIFICATE OF MAILING BY EXPRESS MAIL

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

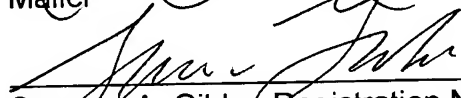
The undersigned hereby certifies that the attached Amendment Transmittal Letter; Request for Continued Examination Transmittal; First Amendment after Second RCE; Certificate of Mailing by Express Mail; and Return Card, relating to the above application, were deposited as "Express Mail," Mailing Label No. EV417740792US, with the United States Postal Service, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 29th day of June, 2004.

6/29/04
Date

6/29/04
Date



Mailer



Spencer A. Gibbs, Registration No. 51,731
John R. Ley, Registration No. 27,453

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Telephone: (303) 740-9000
Facsimile: (303) 740-9042



AMENDMENT TRANSMITTAL LETTER

IN RE THE APPLICATION OF: John de Q. Walker and Todd Randazzo

SERIAL NO: 10/035,346
DATE FILED: December 28, 2001
FOR: CMOS VARACTOR WITH CONSTANT dC/dV CHARACTERISTIC

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SIR:

TRANSMITTED HERewith IS AN AMENDMENT IN THE ABOVE-IDENTIFIED APPLICATION

- ☒ Request for Continued Examination Transmittal
☒ First Amendment After Second RCE

FILING FEE HAS BEEN CALCULATED AS SHOWN BELOW:

	(COL. 1) CLAIMS REMAINING AFTER AMENDMENT	(COL. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(COL. 3) PRESENT EXTRA	SMALL ENTITY			LARGE ENTITY	
				RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
TOTAL:	5 *	- 20	0 **	X \$9 =	\$0.00	OR	X \$18 =	\$0.00
INDEP:	1 *	- 3	0 ***	X \$42 =	\$0.00	OR	X \$84 =	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS				+ \$140 =		OR	+ \$280 =	
ADDITIONAL FEES				TOTAL:	\$0.00	OR	TOTAL:	\$0.00

*IF THE ENTRY IN COL. 1 IS LESS THAN THE ENTRY IN COL. 2, WRITE "0" IN COL. 3.

**IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 20, WRITE "20" IN THIS SPACE.

***IF THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" IN THIS SPACE IS LESS THAN 3, WRITE "3" IN THIS SPACE.

THE "HIGHEST NUMBER PREVIOUSLY PAID FOR" (TOTAL OR INDEPENDENT) IS THE HIGHEST NUMBER FOUND FROM THE EQUIVALENT BOX IN COL. 1 OF A PRIOR AMENDMENT OR THE NUMBER OF CLAIMS ORIGINALLY FILED.

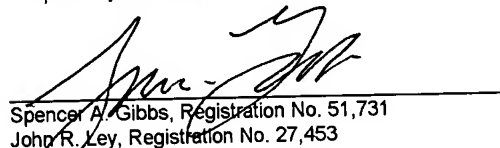
☐ PLEASE CHARGE DEPOSIT ACCOUNT NO. 12-2252 IN THE AMOUNT OF \$_____ FOR THE ADDITIONAL FEES. A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

☒ THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE PAYMENT OF THE FOLLOWING FEES ASSOCIATED WITH THIS COMMUNICATION OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 12-2252. **A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.**

- ☒ ANY FILING FEES UNDER 37 CFR 1.16 FOR THE PRESENTATION OF EXTRA CLAIMS.
☒ ANY PATENT APPLICATION PROCESSING FEES UNDER 37 CFR 1.17.

Dated at Greenwood Village, Colorado, this 29th day of June, 2004.

Respectfully submitted,


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PATENT
Attorney Docket No. 01-152/RCE/RCE
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Title : CMOS VARACTOR WITH CONSTANT dC/dV
CHARACTERISTIC

Group Art Unit : 2811
Confirmation No. : 1045
Examiner : Ori Nadav

FIRST AMENDMENT AFTER SECOND RCE

MAIL STOP RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination, please amend the above application in the following manner:

IN THE CLAIMS:

Amend claim 1.

Part 1 hereof presents the current set of claims.

REMARKS

Certain comments concerning these amendments are presented in Part 2 of this Preliminary Amendment.